

ENERGY INDUSTRY RULES -- SUMMARY OF TIER STRUCTURE

GENERAL ORDER 96-B

TIER CHARACTERISTICS	ADVICE LETTER TIERS				INFORMATION -ONLY FILING
	TIER 1	TIER 2	TIER 3	TIER 4	TIER 5
COVERAGE	Electric, Gas, & Heat Utilities	Electric, Gas, Heat Utilities, & requests for approval of tariffs by Petroleum Pipeline Utilities that have not previously been in public utility service.	Petroleum Pipeline Utilities Only	Electric, Gas, & Heat Utilities	Electric, Gas, Petroleum Pipeline & Heat Utilities
REVIEW PROCESS	Ministerial	Ministerial	Discretionary	Discretionary	Ministerial
EFFECTIVE DATE	One Day After Filing	After 30 business day review period, unless suspended or extended.	30 days after submittal to Energy Division.	After Resolution Approval	N/A. (Not Applicable)
REVIEW PERIOD	30 business days	30 business days	30 days	Any advice letter not approved within six months will be placed on Commission's agenda for rejection without prejudice. Executive Director may extend six month limit one time, for good cause.	N/A.
REVIEW PERIOD EXTENSIONS	None	An additional 30 business days, for a total of 60, except for suspensions which stop the review period clock.	By Commission Resolution.	By Commission Resolution.	N/A.
PROTEST	When the filer agrees with a protest in whole or in part, the filer shall submit an advice letter revision within 5 business days from date of protest. If the filer does not agree with the protest, the filer shall file a reply within 5 business days. The Energy Division shall issue a Notice of Disposition (Tier 1 & Tier 2) either granting or denying the protest. If granted, the filer shall submit an advice letter revision making the correction within five business days, or withdraw the advice letter. In the event a proposed resolution (Tier 3 & 4) is prepared, the Energy Division shall recommend a disposition of the protest.				N/A.

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DATA REQUEST	Does not stop the 30 business day clock.	Stops the 30 business day clock, but does not extend the total number of review days. Clock starts again when the data request is answered.	Does not stop the 30 day clock.	N/A.	N/A.
REFUND PROVISIONS	During review period, see Energy Industry Rule 6.1.1. after review period, see General Rule 8.3	See General Rule 8.3.	During review period, see Energy Industry Rule 6.1.1. after review period, see General Rule 8.3	See General Rule 8.3.	N/A.
TRANSFER TO ANOTHER TIER	Not Allowed	Transfer to Tier 4 is allowed.	Not Allowed	Not Allowed	N/A.
RECOURSE IN THE EVENT OF DEFECTS	Staff may require changes or staff may reject advice letter.		Only the Commission may suspend or reject advice letter. Staff writes draft resolution.	Only the Commission may reject advice letter. Staff may suspend until requested data is received; staff writes draft resolution.	Staff communication with utility.
DISPOSITION	Deemed approved if no protest or staff data request; rejection by staff Notice of Disposition.	Deemed approved if no protest or staff data request; rejection by staff Notice of Disposition.	Approval or rejection by Resolution.	Approval or rejection by Resolution.	N/A.
SUBSTITUTE SHEETS	Identified by sheet revision number; no draft tariff sheets allowed; and no asterisks (*) allowed.			Identified by sheet revision number; draft tariff sheets are allowed; and no asterisks (*) allowed.	N/A.